

### **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of August 8, 2005 is respectfully requested.

As an initial matter, the Examiner's attention is directed to the Information Disclosure Statement submitted herewith. The Examiner is respectfully requested to consider the references provided with the Information Disclosure Statement upon consideration of this Amendment.

The Examiner rejected pending claims 1-16 as being unpatentable over the Ohama reference (USP 5,436,268) in view of the Kunze reference (USP 5,230,867). However, as indicated above, the original claims have been cancelled and replaced with a set of new claims 17-28. For the reasons discussed below, it is respectfully submitted that the new claims 17-28 are clearly patentable over the prior art of record.

New independent claims 17, 27, and 28 have been drafted in order to clarify the features of the sterilizer recited therein. In particular, the specific materials of the base ingredient, the volatile anti-microbial agent, and the aromatic substance that comprise the anti-microbial material are now recited in each of the independent claims.

As explained in paragraph [0026] of the substitute specification, an anti-microbial agent that comprises aliphatic ester isothiocyanate improves the food-preserving effects of the anti-microbial material, and a base ingredient comprising rosin ester provides high physical stability and safety. Furthermore, as explained in paragraph [0042] of the substitute specification, an aromatic substance that comprises peppermint oil will exhibit a synergistic sterilization effect with the volatile anti-microbial agent. Therefore, the specific materials now recited in each of independent claim 17, 27, and 28 provide a sterilizer with greatly improved performance.

The Ohama reference and the Kunze reference do not, either alone or in combination, disclose or suggest an anti-microbial material that includes a base ingredient, a volatile anti-microbial agent, and an aromatic substance having the compositions recited in new independent claims 17, 27, and 28. Therefore, one of ordinary skill in the art would not be motivated to modify or combine these references to obtain the invention recited in the claims. Accordingly, it

is respectfully submitted that new independent claims 17, 27, and 28, and the claims that depend therefrom, are clearly patentable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

Kahoru TSUJIMOTO et al.

By: 

W. Douglas Hahm  
Registration No. 44,142  
Attorney for Applicants

WDH/ck  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
November 8, 2005